

**Remarks****I. Status of the Claims**

Claims 1-15 are pending.

**II. Rejection under 35 U.S.C. §101**

Claims 1-15 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the Examiner asserts that the claimed inventions of claim 1-15 are simply a manipulation of an abstract idea. See Office Action, page 2. Applicants respectfully traverse the rejection.

Section 2105 of the MPEP states:

Office personnel have the burden to establish a *prima facie* case that the claimed invention as a whole is directed to solely an abstract idea or to manipulation of abstract ideas or does not produce a useful result. Only when the claim is devoid of any limitation to a practical application in the technological arts should it be rejected under 35 U.S.C. 101. Compare *Musgrave*, 431 F.2d at 893, 167 USPQ at 289; *In re Foster*, 438 F.2d 1011, 1013, 169 USPQ 99, 101 (CCPA 1971). Further, when such a rejection is made, Office personnel must expressly state how the language of the claims has been interpreted to support the rejection.

See MPEP §2106. As noted in the cited MPEP text above, the Examiner is required to “expressly state how the language of the claims has been interpreted to support the rejection”.

The Office Action, however, simply reiterates parts of claim 1 and concludes that “dividing processes” and “normalizing group of algorithm” are no more than a manipulation of an abstract idea, without addressing the entire claim language of each of the rejected claims or providing any interpretation of the claim language to support this rejection. Accordingly, the Office Action has not established a *prima facie* case that the claims are directed to non-statutory subject matter.

Furthermore, as noted above, “[o]nly when the claim is devoid of any limitation

to a practical application in the technological arts should it be rejected under 35 U.S.C. 101” See MPEP §2106. Applicants’ specification provides various exemplary “practical applications” of the claimed inventions, such as described in the Summary of the Invention section of pages 1-2.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of these claims.

### **III. Rejection under 35 U.S.C. §102**

Claims 1-15 are rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent No. 6,681,383 to Pastor.

Independent claim 1 recites, *inter alia*, “dividing software processes with familiar functional domains into normalized groups of algorithms;”

On the contrary, Pastor as relied upon in the Office Action describes system requirements being captured, converted into a formal language specification and then validated for correctness and completeness. A translator is provided to generate application code from the validated formal language specification. See col. 3, lines 25-45. The cited portions of Pastor describe capturing, converting, validating and generating operations, but are silent as to any “dividing software processes” as claimed. The Office Action also does not address with reasonable particularity what is relied upon in these cited portions of Pastor to read on “dividing software processes”, “familiar functional domains”, “normalized groups of algorithms” and these claim phrases when read as a whole in the claimed dividing feature.

Accordingly, claim 1 and its dependent claims are not anticipated by Pastor and are patentably distinguishable over the same. For similar reasons, claim 15 is also not anticipated by Pastor and are patentably distinguishable over the same.

**CONCLUSION**

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

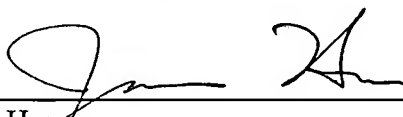
A Petition for a two months Extension of Time is enclosed, a fee for the two months extension is due. No further fees are believed due. However, if the Commissioner determines that a further extension of time is due, and or any other fees required with regard to this response, Applicant petitions for such extension and hereby authorizes the Commissioner to charge any required fee, or credit any overage to Deposit Account No.: 13-4500, Order No. 4576-4001. DUPLICATE OF THIS SHEET IS INCLUDED. Reconsideration and allowance of the above-identified application are respectfully requested.

Respectfully submitted,

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Dated: November 21, 2005

By:

  
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